

Part 4

Executive Appropriations Committee and Appropriation Process -- Session

JR3-2-401 Executive appropriations -- Creation -- Membership -- Quorum and voting requirements.

- (1) There is created an Executive Appropriations Committee consisting of 20 members composed of:
 - (a) three members of the majority leadership of the Senate and four members of the majority leadership of the House;
 - (b) two members of the minority leadership of the Senate and three members of the minority leadership of the House;
 - (c) the chair and vice chair of the Senate Appropriations Committee and the chair and vice chair of the House Appropriations Committee; and
 - (d)
 - (i) one member from the majority party of the Senate as appointed by the president of the Senate or as chosen by the Senate majority caucus;
 - (ii) two members from the minority party of the Senate as appointed by the Senate minority leader or as chosen by the Senate minority caucus; and
 - (iii) one member from the minority party of the House as appointed by the House minority leader or as chosen by the House minority caucus.
- (2) A member of the Executive Appropriations Committee, whose membership is determined under Subsection (1)(a) or (b), may appoint a designee to permanently serve in that individual's place if:
 - (a) the person is a member of the majority party and the designee is approved by the speaker or the president; or
 - (b) the person is a member of the minority party and the designee is approved by the House or Senate minority party leader.
- (3)
 - (a) A majority of the Executive Appropriations Committee is a quorum for the transaction of business.
 - (b) In determining a committee quorum, a majority is at least 50% in one house and more than 50% in the other.
- (4)
 - (a) In all decisions of the Executive Appropriations Committee, a majority vote prevails.
 - (b) A majority vote is at least 50% of the members of one house and more than 50% of the members of the other house in attendance.
- (5) The Office of the Legislative Fiscal Analyst shall staff the Executive Appropriations Committee and its subcommittees.

JR3-2-402 Executive appropriations -- Duties -- Base budgets.

- (1) As used in this rule:
 - (a) "Base budget" means amounts appropriated by the Legislature for each item of appropriation for the current fiscal year that:
 - (i) are not designated as one-time in an appropriation, regardless of whether the appropriation is covered by ongoing or one-time revenue sources; and
 - (ii) were not vetoed by the governor, unless the Legislature overrode the veto.

- (b) "Base budget" includes:
 - (i) any changes to those amounts approved by the Executive Appropriations Committee; and
 - (ii) amounts appropriated for debt service.
- (2)
 - (a) The Executive Appropriations Committee shall meet no later than the third Wednesday in December to:
 - (i) direct staff as to what revenue estimate to use in preparing budget recommendations, to include a forecast for federal fund receipts;
 - (ii) consider treating above-trend revenue growth as one-time revenue for major tax types;
 - (iii) hear a report on the historical, current, and anticipated status of the following:
 - (A) debt;
 - (B) long term liabilities;
 - (C) contingent liabilities;
 - (D) General Fund borrowing;
 - (E) reserves;
 - (F) fund balances;
 - (G) nonlapsing appropriation balances;
 - (H) cash funded infrastructure investment; and
 - (I) changes in federal funds paid to the state;
 - (iv) hear a report on:
 - (A) the next fiscal year base budget appropriation for Medicaid accountable care organizations according to Section 26-18-405.5;
 - (B) an explanation of program funding needs;
 - (C) estimates of overall medical inflation in the state; and
 - (D) mandated program changes and their estimated cost impact on Medicaid accountable care organizations;
 - (v) decide whether to set aside special allocations for the end of the session, including allocations:
 - (A) to address any anticipated reduction in the amount of federal funds paid to the state; and
 - (B) of one-time revenue to pay down debt and other liabilities;
 - (vi) approve the appropriate amount for each subcommittee to use in preparing its budget;
 - (vii) set a budget figure; and
 - (viii) adopt a base budget in accordance with Subsection (2)(b) and direct the legislative fiscal analyst to prepare one or more appropriations acts appropriating one or more base budgets for the next fiscal year.
 - (b) In a base budget adopted under Subsection (2)(a), appropriations from the General Fund, the Education Fund, and the Uniform School Fund shall be set as follows:
 - (i) if the next fiscal year ongoing revenue estimates set under Subsection (2)(a)(i) are equal to or greater than the current fiscal year ongoing appropriations, the new fiscal year base budget is not changed;
 - (ii) if the next fiscal year ongoing revenue estimates set under Subsection (2)(a)(i) are less than the current fiscal year ongoing appropriations, the new fiscal year base budget is reduced by the same percentage that projected next fiscal year ongoing revenue estimates are lower than the total of current fiscal year ongoing appropriations;
 - (iii) in making a reduction under Subsection (2)(b)(ii), appropriated debt service shall not be reduced, and other ongoing appropriations shall be reduced, in an amount sufficient to make the total ongoing appropriations, including the unadjusted debt service, equal to the percentage calculated under Subsection (2)(b)(ii); and

- (iv) the new fiscal year base budget shall include an appropriation to the Department of Health for Medicaid accountable care organizations in the amount required by Section 26-18-405.5.
- (c) The chairs of each appropriation subcommittee are invited to attend this meeting.
- (3) Appropriations subcommittees may not meet while the Senate or House is in session without special leave from the speaker of the House and the president of the Senate.
- (4) All proposed items of expenditure to be included in the appropriations bills shall be submitted to one of the subcommittees named in JR3-2-302 for consideration and recommendation.
- (5)
 - (a) After receiving and reviewing subcommittee reports, the Executive Appropriations Committee may refer the report back to an appropriations subcommittee with any guidelines the Executive Appropriations Committee considers necessary to assist the subcommittee in producing a balanced budget.
 - (b) The subcommittee shall meet to review the new guidelines and report the adjustments to the chairs of the Executive Appropriations Committee as soon as possible.
- (6)
 - (a) After receiving the reports, the Executive Appropriations Committee chairs will report them to the Executive Appropriations Committee.
 - (b) That committee shall:
 - (i) make any further adjustments necessary to balance the budget; and
 - (ii) complete all decisions necessary to draft the final appropriations bill no later than the 39th day of the annual general session.